

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v. Criminal No. 07-50031-001

COBY TOWNSEND HURST

DEFENDANT

AMENDED AND SUBSTITUTED ORDER

Now on this 17th day of July, 2007, comes on for consideration the government's **Motion For Mental Examination Of The Defendant** (document #17), and the Court, being well and sufficiently advised, finds that said motion should be, and same hereby is, **granted**.

IT IS THEREFORE ORDERED that, pursuant to **18 U.S.C. §4241** and **§4242**, the defendant is hereby committed to the custody of the Attorney General or his authorized representative, for placement in a suitable federal correctional facility for a period not to exceed forty-five (45) days for a mental competency evaluation under **18 U.S.C. §4241**, to determine if he is able to understand the nature and consequences of the proceedings herein and to assist properly in his defense, and under **18 U.S.C. §4242**, to determine whether he was insane at the time of the offense charged in the Indictment.

IT IS FURTHER ORDERED that, pursuant to **18 U.S.C. §4247(c)**, the facility conducting the evaluation shall file a copy of the report with this Court, with copies to counsel for the defendant and the government. Should defendant desire a hearing on the

issue of his competency to stand trial, he will have ten (10) days from the filing of the report within which to demand such.

IT IS FURTHER ORDERED that the jury trial scheduled for June 20, 2007, is hereby continued *sine die*. The delay in the trial of this action occasioned by the mental evaluation is excludable under the provisions of **18 U.S.C. §3161(h) (1) (A)** .

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE